GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegation of corruption against Sri Ramisetty Penchalaiah, Executive Engineer, PR, Machilipatnam (now retired and expired) – Trapped on 14.03.2000 - Placed under suspension w.e.f 28.04.2000 – Criminal case filed in CC.No.1/2002 by the ACB Court, Vijayawada – Retired from service on 30.11.2002 on attaining the age of superannuation under suspension - Convicted on 31.7.2006 – Criminal Appeal No.1061/2006 filed before High Court of A.P – Set aside the conviction orders dated 21.2.2022 – SLP No.158 of 2023 filed – Dismissed – Further action dropped - Regularisation of period of suspension from 29.04.2000 to 30.11.2002 treated as a period "spent on duty" for all purposes as per Rule 54 (B) (3) of A.P. Fundamental Rules - Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Rt.No.307 **Dated:03-04-2024.**
Read the following:-

1) G.O.Rt.No.536 PR & RD (Estt.I) Department Dated:22.04.2000.
2) G.O.Rt.No.1557 PR & RD (Estt.I)Dept., Dated:08.11.2000.
3) G.O.Rt.No.998 PR & RD (VS) Dept., Dt:11.07.2001.
4) G.O.Rt.No.688 PR & RD (VS.I)Dept., Dated:26.04.2002.
5) From D.G., ACB., Letter Rc.No.30/RCT-VK1/2000-S9, Dt:19.04.2023.
6) G.O.Rt.No.789 PR & RD (Vig.I) Dept., Dated:16.11.2023.
7) From the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada Letter No.Vig.II/7668/2000, dated:14.02.2024 & dated 15.02.2024.

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ORDER:-

In the reference 1st read above, Sri Ramisetty Penchalaiah, Executive Engineer, PR, Machilipatnam (now retired and expired) was placed under suspension on the allegations of corruption when he demanded and accepted a bribe of Rs.10,000/- from Smt. S. Krishna Kumar, D/o Ramammohana Reddy, native of Lingavaram Village, Gudiwada (M), Krishna District for issuing cheque in respect of the work allotted to the DWACRA Group, and he was continued under suspension pending finalisation of criminal/disciplinary proceedings in the references 2nd to 4th read above.

2. In the reference 5th read above, the Director General, ACB, Vijayawada has informed that Sri R.Penchalaiah, Executive Engineer, PR, Machilipatnam, Krishna District (Retired) was convicted by the Trial Court on 31.07.2006 in C.C.No.01 of 2002. The Accused Officer filed Criminal Appeal No.1061 of 2006 before the Hon'ble High Court. The Hon'ble High Court of A.P., in its orders dated: 21.02.2022 has set aside the conviction orders of the trail court . Government filed SLP No.158 of 2023 before the Supreme Court of India and the same was dismissed on 04.01.2023 with a finding that there is no reason to interfere with the orders impugned in the petition.

3. In the G.O.6th read above, after following due procedure, orders were issued dropped further action of Criminal Case against Sri Sri R. Penchalaiah, Executive Engineer, PR, Machilipatnam, Krishna District (Retired) now expired on the allegation of demand and acceptance of bribe, as in the Criminal Appeal No.1061/2006 dated 21.02.2022, the Hon'ble High Court of A.P., set aside the conviction orders of Special Judge for SPE & ACB Cases, Vijayawada dated:31.07.2006 in C.C.No.01 of 2002 and also SLP No.158/2023 filed by Government was dismissed.

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4. In the letter 7th read above, the Engineer-in-Chief, Panchayat Raj, has informed that Sri R. Penchalaiah, Executive Engineer, PR, Machilipatnam (Retired) expired on 12.09.2023 and his wife Smt. R. Sumithra W/o Late R. Penchalaiah, Executive Engineer, PR, Machilipatnam (Retired & expired), in her representation dated:11.01.2024 has requested to regularize the suspension period from 28.04.2000 to 30.11.2002 as on duty and to release full pension and retirement gratuity etc.

5. Accordingly, the Engineer-In-Chief, PR, has informed that Sri R. Penchalaiah, Executive Engineer, PR, Machilipatnam, was under suspension w.e.f 28.04.2000 to 30.11.2002 in the ACB case and retired on 30.11.2002 under suspension. He was paid subsistence allowance at 50% from 29.01.2000 to 31.10.2001 and at 75% from 01.11.2001 to 30.11.2002 vide G.O 1st & 3rd read above respectively and requested the Government to take further necessary action on the representation of Smt. R. Sumithra, W/o Late R. Penchaialaiah, EE, PR, retired and expired on 12.09.2023.

6. Government, after careful examination of the matter, have decided to treat the period of suspension of Sri R. Penchalaiah, Executive Engineer, PR, Machilipatnam (Retired & expired on 12.09.2023) from 29.04.2000 to 30.11.2002 (period for which subsistence allowance paid) as period "spent on duty" for all purposes as per Rule 54 (B) (3) of A.P. Fundamental Rules.

7. Accordingly, Government hereby treat the period of suspension of Sri R. Penchalaiah, Executive Engineer, PR, Machilipatnam (Retired & expired) from 29.04.2000 to 30.11.2002 as period "spent on duty" for all purposes as per Rule 54 (B) (3) of A.P. Fundamental Rules.

8. The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada shall take further action accordingly in the matter.

9. This order issued as per the instructions issued in Circular Memo.No.FIN01-HR/954347/100/2019-HR.IV, dated:5.3.2021 Finance (HR-IV) Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR,
PRINCIPAL SECRETARY TO GOVERNMENT(FAC).

To
Sri R. Penchalaiah, Executive Engineer, PR, Machilipatnam (Retired & expired on 12.09.2023) (through the Engineer-in-Chief, Panchayat Raj, Vijayawada).
The Engineer-In-Chief, Panchayat Raj, Vijayawada.
The Accountant General, A.P., Vijayawada.
Copy to:
The Superintending Engineer, PR Circle, Machilipatnam, Krishna District(erstwhile).
The District Treasury Officer, Machilipatnam, Krishna District (erstwhile).
Sf/Sc.

// FORWARDED :: BY ORDER//

SECTION OFFICER